

COPY

CITY OF CAREY ORDINANCE NO. 2016- 03

REDHAWK ESTATES SUBDIVISION ANNEXATION

AN ORDINANCE OF THE CITY OF CAREY, IDAHO, PROVIDING FOR CERTAIN FINDINGS; PROVIDING FOR THE INCORPORATION AND ANNEXATION INTO THE CITY OF CAREY CERTAIN LAND CONTIGUOUS TO THE CITY OF CAREY KNOWN GENERALLY AS REDHAWK SUBDIVISION AND LEGALLY DESCRIBED AS NW ¼, Section 2 & NE ¼, Section 3. T. 2 S, R 21 E, BM of City of Carey, Blaine County, Idaho IN UNINCORPORATED BLAINE COUNTY; PROVIDING THAT THE CITY CLERK AND OTHER CITY OFFICIALS SHALL TAKE THE NECESSARY STEPS TO IMPLEMENT SAID ORDINANCE; PROVIDING FOR A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Carey has amended its Comprehensive Plan by Resolution dated April 19, 2016; and

WHEREAS, the Comprehensive Plan is the primary document to guide and balance future development within the City of Carey and establishes a general framework for use in making decisions about the physical, social, economic, and environmental development of the Community; and

WHEREAS, the amendment to the Comprehensive Plan recited above foresees certain annexations;

WHEREAS, ROBB PECK (Property Owner), has timely filed with the City of Carey on October 2, 2015 an application for incorporation and annexation into the City of Carey of the property legally described as NW ¼, Section 2 & NE ¼, Section 3. T. 2 S, R 21 E, BM of City of Carey, Blaine County, Idaho, and known as Redhawk Estates Subdivision;

WHEREAS, the Planning and Zoning Commission of the City of Carey reviewed the request for annexation and the associated development applications on March 7, 2016; and

WHEREAS, the Planning and Zoning Commission is the recommending body for such requests and favorably recommended such annexation; and

WHEREAS, the City Council held a duly noticed Public Hearing on the annexation on April 19, 2016, and approved the annexation;

NOW, THEREFORE; THE MAYOR AND THE CITY COUNCIL OF THE CITY OF CAREY, IDAHO, DO ORDAIN AS FOLLOWS:

SECTION 1. FINDINGS

The City Council finds that, in accordance with Idaho Code Section 50-222:

1. The land to be annexed meets the applicable requirements of Idaho Code Section 50-222;

REC'D JUL 22 2016

2. The annexation is consistent with the public purposes of the Comprehensive Plan and the City's goals for annexation;
3. The annexation is reasonably necessary for the orderly development of the City.

SECTION 2. EXTERIOR BOUNDARY OF ANNEXED TERRITORY- A legal description of the subject tax lots is: NW ¼, Section 2 & NE ¼, Section 3. T. 2 S, R 21 E, BM of City of Carey, Blaine County, Idaho.

SECTION 3. ANNEXATION- The Redhawk Estates Subdivision, NW ¼, Section 2 & NE ¼, Section 3. T. 2 S, R 21 E, BM of City of Carey, Blaine County, Idaho, is hereby declared to be part of the City of Carey, Idaho and are annexed thereto, subject to the following specific conditions of approval:

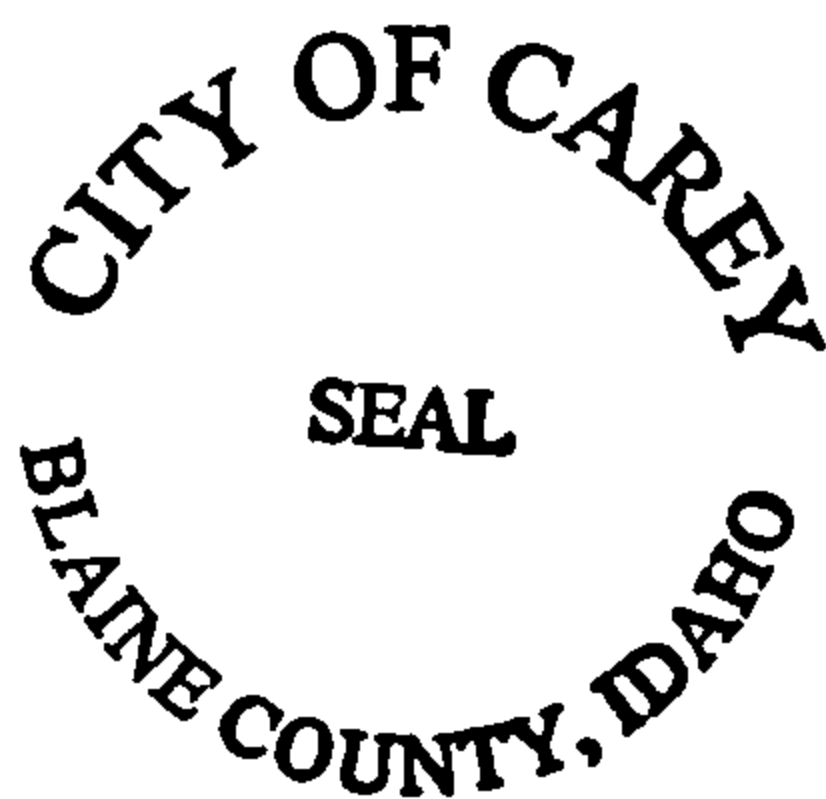
SECTION 4. FILING OF ORDINANCE- Within ten (10) calendar days following the effective date of this Ordinance, the City Clerk of the City of Carey, Idaho, is duly authorized and instructed to file with the recorder and auditor of Blaine County and with the Idaho State Tax Commission a copy of this Ordinance certified as to correctness under the corporate seal of the City of Carey.

SECTION 5. SAVINGS AND SEVERABILITY- If any section, subsection, paragraph, subparagraph, item, provision, regulation, sentence, clause, or phrase is declared by a Court of competent jurisdiction to be invalid, such actions shall not affect the validity of this ordinance as a whole or any part thereof other than the part declared invalid.

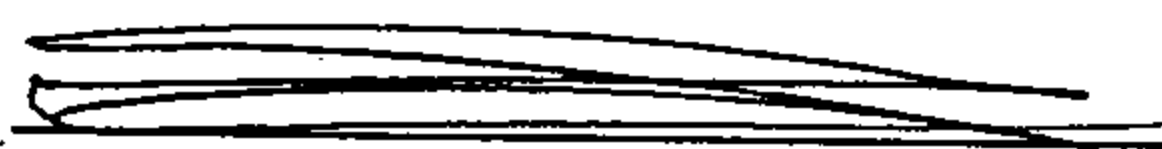
SECTION 6. REPEALER CLAUSE- All City of Carey Ordinances or parts thereof which are in conflict herewith are hereby repealed.

SECTION 7. EFFECTIVE DATE- This Ordinance shall be in full force and effect from and after its approval, passage, and publication as provided by law.


PASSED BY THE CITY COUNCIL OF THE CITY OF CAREY, IDAHO, AND APPROVED BY THE MAYOR OF THE CITY OF CAREY on this 17 day of May, 2016.



APPROVED:


Randall Patterson, Mayor
City of Carey

ATTEST:


Tess Cenarrusa City Clerk
City of Carey

INVESTMENTS
P.O. BOX 28
CARTY, W. 83320
508-578-2334

DAN THOMPSON, INC.
421 N. COLLEGE RD.
TWIN FALLS, ID 83301
(208) 734-4888

AGRICULTURE-VACANT

RESIDENTIAL: SINGLE FAMILY AND AG1

A-20

21.32 ACRES

NONE

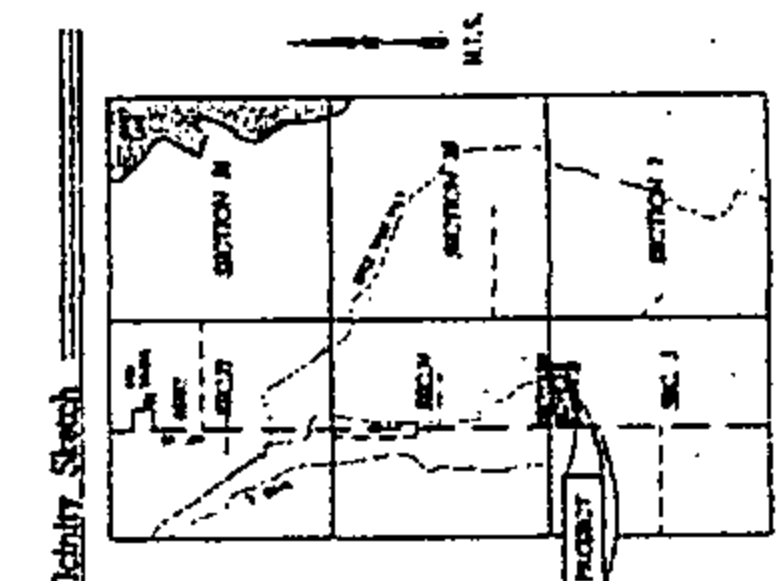
PUBLIC WATER SYSTEM (4" MINIMUM SERVICES LOTS 1-3), SEWING SYSTEM FOR LOT 4.

PUBLIC WATER SYSTEM LOTS 1-4.

FLOOD PLAIN

PH. LOTS 1-2, BLOCK-1 AND AG1 LOTS 3 & 4, BLOCK 1.

SPECIAL CONSIDERATIONS:
PROPOSED ZONES:



Certificate of Owners

This is to certify that the undersigned are the owners, or representatives of the owners, in fee simple of the following described property located in the NW 1/4, Section 2 and the NE 1/4, Section 3, Township 2 South, Range 21 East, Boise Meridian, Blaine County Idaho. Said property being more specifically described as follows:

Commencing at the North 1/4 corner of Section 3, said point lies N 88°56'34"E, 2671.78 feet from the Northwest corner of Section 3. Thence, N 89°06'39"E, 41.75 feet to the REAL POINT OF BEGINNING.

- Thence, N 89°06'39"E, 2625.61 feet,
- Thence, N 89°06'08"E, 2655.27 feet,
- Thence, S 01°06'57"E, 1312.54 feet,
- Thence, S 89°05'27"W, 2660.99 feet,
- Thence, S 00°51'58"E, 1338.02 feet,
- Thence, S 89°07'31"W, 2622.06 feet,
- Thence, N 00°56'35"W, 2489.26 feet,
- Thence, N 89°03'25"E, 296.20 feet,
- Thence, N 00°56'35"W, 140.60 feet,
- Thence, S 89°03'25"W, 296.20 feet,
- Thence, N 00°56'35"W, 20.57 feet, to the REAL POINT OF BEGINNING.

The gross area contained in this platted land as described is 238.82 acres.

It is the intention of the undersigned to and they do hereby include said land in this plat, that the undersigned by these presents dedicate to the public for public use forever all roads as shown on this plat. The easements indicated on this plat are not dedicated to the public but the rights to use said easements are hereby perpetually reserved for public utilities and such other uses as designated on this plat. No structures other than for such utility and other designated public uses are to be erected within the lines of said easements.

The individual lots on this plat will not be served by any water system common to one (1) or more lots, but will be served by individual wells. (I.C. 50-1334)

Pursuant to Idaho Code 31-3805, we, the undersigned, as owners, do hereby state that the irrigation water rights appurtenant and the assessment obligation of the lands in this plat have not been transferred from said lands. Lots within the subdivision will be entitled to irrigation water rights and will be obligated for assessments from the irrigation district and/or irrigation company.

Robb K. Peck
Robb K. Peck
Kathy L. Peck
Kathy L. Peck

Larry F. Wharton
Larry F. Wharton
By: Craig Patterson
For: Carey Water And Sewer District

Acknowledgment

STATE OF IDAHO
COUNTY OF BLAINE } ss

On this 13 day of July, 2001, before me, a Notary Public, in and for said County and State, personally appeared Robb K. and Kathy L. Peck, husband and wife, known or identified to me to be persons who names are subscribed to the foregoing certificate and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Connie Whitworth
Notary Public for Idaho
Carey Idaho
Residing At: 9-21-2006
My commission expires:



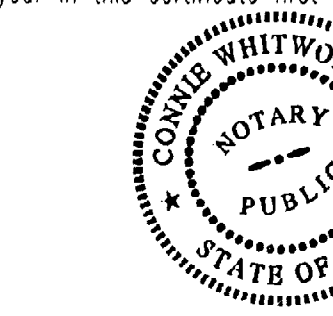
Acknowledgment

STATE OF IDAHO
COUNTY OF BLAINE } ss

On this 13 day of July, 2001, before me, a Notary Public, in and for said County and State, personally appeared Larry F. Wharton, known or identified to me to be person who name is subscribed to the foregoing certificate and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Connie Whitworth
Notary Public for Idaho
Carey Idaho
Residing At: 9-21-2006
My commission expires:



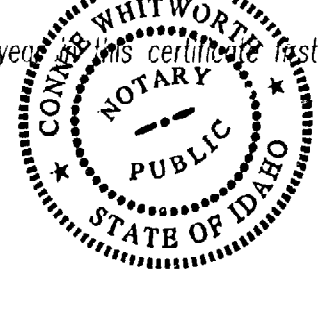
Acknowledgment

STATE OF IDAHO
COUNTY OF BLAINE } ss

On this 13 day of July, 2001, before me, a Notary Public, in and for said County and State, personally appeared Craig Patterson, known or identified to me to be the President, of the Carey Water And Sewer District and acknowledged to me that the District executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Connie Whitworth
Notary Public for Idaho
Carey Idaho
Residing At: 9-21-2006
My commission expires:

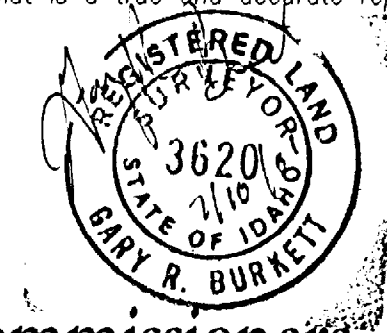


EHM Engineers, Inc.
ENGINEERS/SURVEYORS/PLANNERS

Certificate of Surveyor

Redhawk Estates

This is to certify that I, Gary R. Burkett, a Professional Land Surveyor in the State of Idaho, made the survey of land as described in the Certificate of Owner's and that this plat is a true and accurate representation of said survey as made and staked under my supervision and direction.



County Commissioners Approval

The foregoing plat has been accepted and approved by the Board Of County Commissioners of Blaine County, Idaho on this 17th day of July, 2001.

[Signature]
Chairman

Planning and Zoning Commission Acceptance

The foregoing plat was duly accepted and approved by the Blaine County Planning and Zoning Administrator, Blaine County, Idaho, on this 16th day of July, 2001.

[Signature]
P & Z Administrator

County Engineer's Certificate

This is to certify that the undersigned, a Registered Professional Engineer in the State of Idaho has checked the foregoing plat and computations for making the same and has determined that they comply with the laws of the State of Idaho and the County of Blaine, Idaho related hereto.

Jim W. Koonce
County Engineer 7/12/01

County Treasurer's Certificate

I, Vicki L. Dick, County Treasurer in and for the County of Blaine, Idaho per the requirements of Idaho Code 50-1308, do hereby certify that all county property taxes due for the property included in this plat have been paid in full. This certification is valid for the next thirty days only.

Vicki L. Dick by D. Baird
County Treasurer

July 12, 2001
Date:

County Recorder's Certificate

Instrument No. _____
State of _____ } ss
County of _____ }

On this _____ day of _____, 200____, at _____ M., the foregoing plat was filed for record in the office of the Recorder of Blaine County, Idaho and duly recorded in plat book _____, on page _____.

[Signature]
Deputy Ex-Officio Recorder

Instrument # 453242
HAILEY, BLAINE, IDAHO
2001-07-18 09:18:11 No. of Pages: 2
Recorded for: ROB PECK
MARSHA RIEMANN Fee: 11.00
Ex-Officio Recorder Deputy MFP
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